

Appln No. 09/804,815
Amdt date May 18, 2007
Reply to Office action of March 1, 2007

REMARKS/ARGUMENTS

Claims 1-52 were pending in this application when last examined by the Examiner. Withdrawn claims 36-45 have been canceled. Claims 1, 3-4, 7-8, 14, 16-17, 19-20, 26-32, 34 and 46-51 have been amended. Claims 53 and 54 have been added. The amendments find full support in the original specification, claims, and drawings. No new matter has been added. In view of the above amendments and remarks that follow, reconsideration and an early indication of allowance of the now pending claims 1-35 and 46-54 are respectfully requested.

Claim 27 is objected to due to a grammatical error. Applicant submits that amended claim 27 now overcomes the objection. Withdrawal of the objection to claim 27 is respectfully requested.

Claims 26-29 and 31-32 are rejected under 35 U.S.C. 101 because the invention is directed to non-statutory subject matter. Applicant submits that the amendments to claims 26-29 and 31-32 that replaces "technical director" with "software interface" causes these claims to be directed to a statutory subject matter. Accordingly, withdrawal of the rejection of claims 26-29 and 31-32 under 35 U.S.C. 101 is respectfully requested.

Claims 1-35 and 46-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Roberts et al. (U.S. Patent No. 5,987,525). Applicant respectfully traverses this rejection.

Claim 1, as amended, is directed to a method for "providing interactive content for a video program via a server." In this regard, a "client software" includes "base software," "program content applicable to a plurality of episodes of a video program," and "episode content applicable to a particular one of the plurality of episodes of the video program." The claimed "episode content" includes "interactive components for later display during the particular episode" where the interactive components "prompt[] user interaction in response to the display of the interactive components." During the particular episode, the client receives from a server "a message associated with at least one of the downloaded interactive components related to the particular episode." The message includes "a message type identifier selected from a plurality of predefined message type identifiers." The base software is configured for "receiving the message, retrieving from the message the associated message type identifier, identifying a type

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of interactive component based on the message type identifier, and formatting the at least one of the downloaded interactive components in a particular layout format based on the identified type of interactive component for causing to be displayed on the display the at least one of the downloaded interactive components in the particular layout format." Roberts fails to teach or suggest all of these limitations.

Roberts discloses delivering entertainment content that is synchronized with the play of a musical recording. For example, Roberts discloses that a Shockwave animation may be downloaded from a server and displayed in a manner that is synchronized with an audio CD. (See, Col. 4, line 51-Col. 5, line 20). Roberts, also discloses that chat rooms may be connected with musical recordings. (See, Col. 6, lines 56-59). A user can join a chat room associated with a particular CD in the user's computer, and have that CD play in such a manner that it is approximately synchronized to the CD that is playing in other chat room clients' machines. (Col. 7, lines 29-60).

The Examiner contends that information regarding to an audio CD that is provided by Roberts' system is the claimed "program content," and that the various tracks of the audio CD is the claimed "plurality of episodes." (See, Office action, p. 3, par. 9). Claim 1, as amended, however, clarifies that the claimed "program content" and "episodes" are for a "video program." Roberts is not directed to providing interactive content for video programs.

In addition, based on the Examiner's reliance on the section of Roberts disclosing the Shockwave animation, the Examiner appears to equate this animation to the claimed "episode content." However, not only is the disclosed Shockwave animation aimed to be synchronized with an audio CD as opposed to "a particular one of the plurality of episodes of the video program," but the disclosed Shockwave animation does not include the claimed "interactive components" that "prompt[] user interaction in response to the display of the interactive components."

Although Roberts discloses in column 7, lines 34-60 that a user can interact with his or her CD player by changing the volume, ejecting the CD, or selecting a different CD track,

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Roberts fails to teach or suggest that these interactions are "in response to the display of the interactive components."

In addition, any message that a server in Roberts may transmit for displaying the Shockwave animation does not include the claimed "message type identifier" which is then used by the claimed "base software" for "identifying a type of interactive component based on the message type identifier, and formatting the at least one of the downloaded interactive components in a particular layout format based on the identified type of interactive component for causing to be displayed on the display the at least one of the downloaded interactive components in the particular layout format." As discussed in Applicant's specification on page 7, 2nd paragraph, such messaging code minimizes the required data transfer. Roberts fails to teach or suggest such a messaging code. Accordingly, claim 1 is now in condition for allowance.

Independent claims 17, 46, and 49 include limitations that are similar to the limitations of claim 1 which make claim 1 allowable. Accordingly, claims 17, 46, and 49 are also in condition for allowance.

Claims 2-16, 18-35, 47-48, and 50-52 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

Claims 53-54 are new in this application. These claims are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain. Specifically, claim 53 adds the limitation that the "predefined message type identifiers are selected from a group consisting of facts, trivia questions, and poll questions," which is not taught nor suggested by Roberts. Accordingly, claim 53 is also in condition for allowance for this additional limitation.

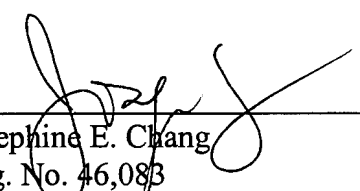
Claim 54 adds the limitation that "the interactive components prompt user responses to the trivia or poll questions," which is not taught nor suggested by Roberts. Accordingly, claim 54 is in condition for allowance for this additional limitation.

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In view of the above amendments and remarks, reconsideration and an early indication of allowance of the now pending claims 1-35 and 46-54 are respectfully requested.

Respectfully submitted,
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